ஏ & எ 4 (194 1) Department

MS SERIES.

G.O. No. 5048

25

Dated 1.12.41.

[Despatch Abstract.]

Building Rules - Hospet Municipality

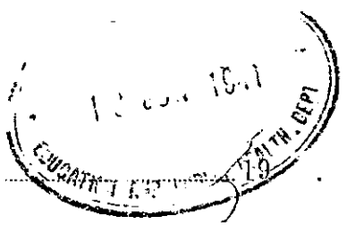
Mohideen Sahib B -

Construction of a Verandah

Rule 8 - Exemption

[redacted] as a Shed

*DEPARTMENT.



Received ..... *Registered* 19

Subject.

23417

Construction of verandah - D.No.1729-A of IV ward - B. Mohideen Saheb - Violation of rule 8 of G.O.No.1621 P.H. dated 30-7-32.

ENCLOSURES.
No. Two
Spare copies.....

H.P.No. 383/40.

Station Hospet. , *Dated the* 4-6-1941. 19

From (Name) Sri. I. Rajarao Naidu,

(Designation) Commissioner, Hospet Municipality, Hospet.

To The Secretary to the Government of Madras,

Education and Public Health Department. Madras

Through

Sir,

The Chairman, Municipal Council, Hospet,

The Director of Town Planning, Madras.

Ref:-G.Os.Ma.4151 P.H. dated 9-9-40 and 4677 P.H. dated 5-10-40 - Council resolution 69 dated 15-5-41.

Forwarded
16.6.41
Chairman M.C.

I beg to submit that in the matter of construction of verandah in D.No.1729-A of the IV ward by Belagodu Mohideen Saheb of this place the orders of Government in G.O.No.Ms.4151 P.H. dated 9-9-40 and 4677 P.H. dated 5-10-40 were placed before the Council for consideration The Council in resolution No.567 dated 31-10-40 copy enclosed had resolved to refer the file of papers and the orders of the Government thereon to one of the Councillors, Sri. S.V. Bhimachar for report. But after several reminders from me the file was ultimately returned to me only on 5-4-41 without any remarks by the Councillor who had also resigned since. I had therefore brought this to the notice of the Council which in its meeting held on 15-5-41 passed the resolution No.69 dated 15-5-41 copy enclosed herewith.

P. Ainapa

I request that the Government will favour me with such orders as deemed fit on the resolutions

of the Council above referred to.

Commissioner.

T.S.P.8/6.

Copy of Council resolution No.568 dated 31-10-40.

Read (i) resolution No.508 dated 27-9-40 of the Council granting license for the construction of upstairs room to the building Door No.1729-A Poojari lane of VII in ward on the appeal petition dated 9-4-40 from Belagodu Mohideen Saheb.

(ii) G.O.No.4151 P.H. dated 9-9-40 on C.P.140/39 dated 2-4-40 giving notice to the Council to show cause why the resolution 1183 dated 18-1-40 granting license for the construction of the same building Door No.1729-A/VII (or IV Revised ward) should not be cancelled as the construction contravenes building rule 8 of rules in G.O.No.1621 P.H. dated 30-7-32.

(iii) Notes of the Health Officer and the Commissioner dated 7-10-40 and 10-10-40.

Resolution:- Sri. S. V. Bhimachar for report.

Sd. M.V.Swamy,
Chairman, M.C.

(True copy)

2/3

Commissioner.

Copy of Council resolution No.69 dated 15-5-41.

Read Council resolution Nos. 398, 401, 402, 403, 408 dated 31-8-41 and Council resolution Nos.567, 568 dated 31-10-41 referring the files H.P.Nos.394/39, 550/39, 685/39, 140/39 and H.P.Nos. 16/40, 383/40 and H.P.139/41 to Sri. S. V. Bheemachar, Municipal Councillor for remarks.

2. Note of the Municipal Health Officer, dated 5-4-41 informing that Sri. S.V.Bheemachar has returned the above files without offering his opinion.

Resolution:- The Government is requested to reconsider again these cases as a special case as removal of these buildings would cause lot of harship to the parties who are very poor and illiterate.

Sd. M.V.Swamy,
Chairman, M.C.

(True copy)

3/3 Commissioner.

C.F. 32 (a).

TOWN PLANNING Department

From (Name) Sri Rao Bahadur S.G.Grubb, B.A.,
Designation Ex-Officio Director of Town Planning,
Station Mount Road, Madras.

Received Registered

To
The Secretary to Government,
26919 Education & Public Health Department.

GOVERNMENT OF MADRAS
Enclosures
13 JUL 1941
PUBLIC HEALTH DEPT.

No. B.A.51 dated 11-7-41. 194

Sir,

Sub: Buildings - Hospet Municipality - B.Mohideen Saheb - exemption rule 8.
Ref: Memo 23417/1 H. P.H. dated 23-6-41.

In this office letter 2168-40 dated 16-8-40 on which G.O. 4151 P.H. dated 9-9-40 was issued, it was pointed out that the width of the street in froht is only 14 ft. and under the prôviso to clause 10(1)(a) of the draft rules for non extension areas, it will be necessary to leave 5' space from the edge of the street in front and that there is no justification for permitting the construction of verandah in the front 4 ft space.

The verandah under reference should be demolished to comply with the rules.

for Ex-Officio Director
of Town Planning

M.S.12.7.

9

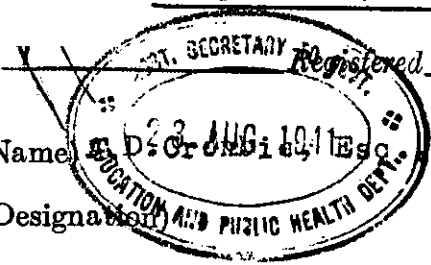
Ref 3695/41.81.

(C.F. 32 1/2).

In reply, please quote number, date and short title.*

Revenue. DEPARTMENT.

Received ... Registered ...



From (Name) E. D. Crombie, Esq., C.I.E., I.C.S.,

(Designation) Collector,

Post Box ..., (Station) Bellary.

Telegraphic Address ...

To

33069

The Secretary to the Government,
Education and Public Health Departmen
MADRAS.

Ref. *No.* 3695/41B1, *dated* 20-8-41. 193 .

Sir,

* Buildings- Building Rules- Hospet Municipality- Mohideen Sahib ,(B)- Construction of a varandah Rule 8 - Exemption under

Read:- Education and Public Health Department Reminder 23417-2 H.P.H., dated 22-7-41.

Your Ref.Reminder dated 15-8-41 for Ref. 23417-2 H.P.H.,dated 22-7-41.

The current has been pending with the Sub-Collector ~~fxxx2x~~ from 2-8-41. A detailed report will be submitted on receipt of a reply from him. He is reminded to-day to expedite his report.

HVR.21/8.

For Collector.

ENCLOSURES ...

SPARE COPIES ...

C.F. 32 (a).

Revenue DEPARTMENT.

In reply, please quote number, date and short title.*

Received *Registered*

From (Name) I.M.Fraser Esq., I.C.S.,

(Designation) Collector

38-41

Post Box , (STATION) Bellary

Telegraphic Address

GOVERNMENT OF MADRAS
29 SEP 1941
EDUCATION AND PUBLIC HEALTH

To

The Secretary to Government,
Education & Public Health Department,
Madras.

Ref. *No*3695/41 B.1, *dated* 27-9- 1941.

Sir,

ENCLOSURES

SPARE COPIES

Buildings - Hospet town - Construction of a verandah - B. Mohideen Saheb - Contravening building rules.

Ref: Government Memorandum (Education and Public Health Department) No. 23417-2 HPH dated 22-7-1941.

(2) Government Memorandum (Education & Public Health Department) No. 23417-3 HPH dated 13-9-1941.

I have proposed to inspect the building of B. Mohideen Saheb next month. I shall submit my

my report to Government on or before

15-10-1941.

28.9.41

For Collector.

r.s. 28/9.

From

I.M.Fraser Esquire, I.C.S.,

Collector of Bellary.

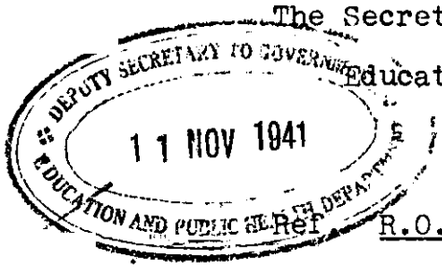
To

45022

The Secretary to Government,

Education & Public Health Department,

Fort St.George, MADRAS.



Ref R.O.C.3695/41-B.1. dated 7-11-1941.

Ref.- 1. Government Memorandum (Education and Public Health Department) No.23417-2, H.P.H. dated 2-7-41.
2. Government Memorandum (Education and Public Health Department) No.23417-3, H.P.H. dated 22-7-41.

Sub.- Building Rules - Hospet Municipality - Mohideen Sahib, B. - Construction of a verandah - Rule 8 Exemption.

I have inspected the building in question. The owner of the house built a substantial verandah in front of his house which is at the end of a short street, 14 feet wide in an non-extension area. The street has not been surveyed and in the circumstances the street margin must be deemed to be the street alignment. There is practically no vehicular traffic in it except an occassional bullock cart. The verandah is roofed, closed in at each end with a wall and has two pillars in the centre of the front over which there is an arch covering some steps. It does not encroach on the street margin.

2. As the Ex-officio Director of Town Planning has remarked in his letter No.B.A.51 dated 11-7-41 the construction of the verandah does not confirm to the provisions of ~~the~~ rule 10(1)(a) of the Draft Rules for non-extension areas enclosed to G.O.No.1854 dated 4-5-40 nor to the provisions of rule 8 in Part II of the Annexure to G.O. No.1621 P.H., dated 30-7-32. On the other hand, it does not contravene rule 9 (b) of the Revised Building Rules, 1941, in the Appendix to G.O.No.2978 dated 14-7-41 as no building line has been fixed for this unsurveyed street. I invite attention to paragraph 3 of G.O. No.3975 dated 15-9-41 and submit that a real personal hardship will be caused to the owner of the house if the verandah is to be demolished. He is a respectable citizen and I do not think that he

understood his obligations when he built the verandah. It is really the only good building in the street and does not offend public health or convenience in any way. I accordingly recommend that the Government may be pleased to exempt the verandah from the operation of the rules under rule 15 of the Revised Building Rules, 1941, in the Appendix to G.O.No.2978 dated 14-7-41.

15/11/41 18/11/41 18/11/41

MRN/8-11.

J.W.Rasco
Collector.

Rv 3/12

Memo 23417-6 H.P.H. dated 17/11/41

Building Rules - Hospet Municipality - B. Muddiah Sahib - Construction of a verandah - Exemption -

17/11

1-13 arts.

The Collector of Bellary has submitted with his letter No. 3695-41-B1, dt. 7.11.41 returned the original papers sent to him with Memo No. 23417-2 H.P.H. dt. 22nd July 1941 - He is requested to return them urgently ——→

17/11

13.11.41

To

The Collector of Bellary.

Dear Sir

18/11

Date

C.F. 32 (a).

In reply, please quote number, date and short title.*

Revenue DEPARTMENT.

Received *Registered*

From (Name) I.M. Fraser Esq., I.C.S.,

(Designation) Collector

Post Box _____, (Station) Bellary

Telegraphic Address _____

DEPUTY SECRETARY TO GOVERNMENT
27 NOV 1941
EDUCATION AND PUBLIC HEALTH DEPARTMENT

47446

To

The Secretary to the Government,
Education & Public Health,
Fort St. George, M a d r a s.

Ref. *No.* 3695/41 B.1 *dated* 24-11- 1941

Sir,

Enclosures _____

_____

_____

Spare Copies _____

Buildings - Building rules - Hospet Municipality - B. Mohideen Saheb - Construction of a verandah - Original papers - Resubmitted.

Ref: Government Memorandum No. 23417-6 HPH dated 17-11-41.

The following papers received with the Government Memorandum No. 23417-2 HPH dated 22-7-1941 are enclosed.

1) Hospet Commissioner's H P No. 383/40 dated 4-6-41.

2) Copy of Council's resolution No. 567 dated 31-10-40.

3) Copy of Council's resolution No. 69 dated 15-5-41 and

4) Ref. BA 51 dated 11-7-41 from the ex-officio Director of Town Planning, Madras.

25/11/41

For ~~Collector~~.

.S. 25/11.

25/11

C No. 23417 H.P.H

Educn. & P.H. Deptt
H Section

Read:

From the Commr Hospet Mcpty.
H.P. No. 383/40 dated the
4th June '41.

PP1-4cf

Sub:

70
23/6
DJ 23/6

Bldg. Rules - Hospet Mcpty. -
Belagodu Mohideen Saheb - Exemption
G.O.x. - Reconsideration

Memo No. 23417-1 H.P.H dt 23.6.41

Referred to the D.T.P.
for early remarks. He should
also state whether the buildings shd
be removed.

DJ 23/6

Dft with Encl.
DTP 25/6/41

To
The Director of Town Planning
(with cf to be returned with reply)
PP1-4cf

WS
22/6.

WA
24.6.41

C No. 23417 H.P.H

Edun. & P.H. Deptt.
H Section

19 23/7/41
23/7

Read:

From the Commr. Hospet Mepty HP.
No. 383/40 dated the 4th June '41

Sub:

Building Rules - Hospet Mepty -
Mothideen Sahib & Construction
of a verandah - Rule 8 -
Exemption -

Memo No 23417-2 H.P.H dated the 22nd ~~June~~ July '41
Referred to the Collector of
Bellary for early remarks:
He is requested to report
whether the building should
be demolished in the interests of
~~comply with the Rules~~. public health
or convenience.

Rr
15/8
Asst. Rr. 3/9

with original
22/7

22/7

21.7.41

The Collector of Bellary.
(with original
with reply)

Pages 1-5 c/f
+8+9
4

C No. 2341 7 H.P.H.

Edun. & P.H. Deptt.

H Section

H.H. 87/1819 Read:

Govt. Memorandum No. 23417-2 H.P.H. dated the 22nd July '41.

Read also:

C No. 33069 From the Collector of Bellary No. 3695/41 B1 dated the 20th Aug. 1941.

Sub:

Building Rules - Hospet Municipality - Moti Masjid Sahib, B-Construction of a verandah - Rule 8 - Exemption -

Memo No. 23417-3 H.P.H. Dis 9/41

The Collector of Bellary is requested to expedite his final reply to the Government Memorandum cited above.

Asst. Rv. 38/9

VKM 11941

11.9.41

WS 13/9

To

The Collector of Bellary.

DPD TF 15/9

C no 23417 H.P.H

68
21

Read:

- Govt. Memorandum No 23417-2 H.P.H. dated the 22nd July '41.

Read also:

From the Collector of Bellary
No 3695/41 B.1. of 27/9/41.

Sub:

Buildings in Hospet town - Construction of a Verandah - B. Mohideen Saheb - Contravening bldg rules

Memo No 23417-3. H.P.N. dt 10.41.

The Collector of Bellary is requested to report when his final reply to the memorandum cited above may be expected

21/10.

17/10

17.10.41

To

The Collector of Bellary

Memo 23417-5 H.P.H:
11/11/41

27/11/41

Buildings -
Hospet Mpty - Construction of a Verandah by B. Mohiuddin Sahib - Contravention of Building Rules

The attention of the Coll:. of Bellary is invited to Memo. No. 23417-2 H.P.H. dt. the 22nd July 1941 and Memo No. 23417-3 H.P.H. dt. 21.10.41 on the above subject and he is requested to expedite the report in the subject.

Ag.
8.11.41

W/S:-
11/11

To
The Coll:. of
Bellary

Reply received - Instructions issued

R:. 30/11

C.No. 234 17 H PH

Edun. & P.H. Deptt
H Section

Read:

From the Commr. Hospet Mcpty.
HP No. 383/40 dated the 4th June

Read also: D. J. P. No. DA 57 dt the 11th July 4
G.O. No. 4157 PH 8 9.9.40
" " 4677 PH " 5.10.40

Sub: Building Rules - Hospet Mcpty. - Mohideen Sahib, B. — Construction of a verandah - Rule 8 - Exemption — Refused.

Order No PH dated July 1941
No

The Government see no justification to exempt the building belonging to Belgaon Mohideen Sahib from the operation of rule 8 of the Building Rules.

By order etc.,

7.7.41

To
The Commr. Hospet Mcpty.
thro the CMC
The D.T.P

Note:

Attention is invited to the remarks of the D.T.P on page 5 of (PTO)

As in his previous remarks on the subject — vide P. 7 of D.O No. 4157PH dated 9.9.40 — the D.T.P does not recommend the case for the exemption of Govt., especially because the width of the steel in front of the verandah is only 4½ ft. The D.T.P is sure that the verandah has to be demolished to comply with the provisions of rule 8 of the B.S.C. The building will not be permissible under the new draft rules —

2: The Council recommends the case to Govt., as a special case, since the removal of the buildings would cause much hardship to the parties "who are very poor & illiterate" — vide P. 4 of.

Govt orders whether the draft new rules may issue.

14.7.41

Item 14/7

This sheet has come here without the connected papers.

16/7

May be referred to Dy.

His bills for remarks whether the building should be demolished.

9/7.

17/7

E & P.H. Deptt.
H Section

A draft Memo. is Subd. below for approval as per orders of Deputy Secretary in Para 2 ante.

Initials 21/7

WS 22/7

21.7.41

[Issued as Memo. No. 23417-2 H.P.H dated the 22nd July 1941]

C No. 33069 from the Collector of Bellary Ref No. 3695/41 B1 dated 20.8.41

Please see the interim reply of the Collector of Bellary on page 5 C.F. In the circumstances reported, his final reply to the Govt. Memo. on page 3 C.F. may be awaited till 12.9.41, when he may be reminded if necessary.

Initials 25/8

WS 28/8

25.8.41

E. Secn. & P.H. H Section

A memo. reminder is subs. for approval.

Initials 11-9-41

WS 12/9

11.9.41

[Issued as Memo No. 23417-3 H.P.H dated 13.9.41]

C No. 38461 From the Collector of Bellary, Ref. No. 3695/41 B1 Dated 27.9.41

Ex P.H
Hechin

In the circumstances stated by the Collector, this final reply may be awaited till 17.10.41. when he may be addressed again, if necessary.

Vkm
7.10.41

Ws
3/10

Ukh
1.10.41

No reply has yet been rec'd. A draft memo reminder in the D.O. file.

Ukh
17.10.41

Ws
21/10.

[Memo No. 23417-3 P.H dt 24.10.41]
[Memo No. 23417-5 P.H dt 11.11.41]
From the Coll. of Bellary No. 3695-41
dt 7.11.41.
[Memo No. 23417-6 P.H dt 17.11.41]

In his letter on pages 13-14 cf. the Coll. of Bellary has recommended exemption of the building within Cane from the operation of the Building Rules. This recommendation made

made after local inspection may be accepted —

The draft order below for approval -

27.11.41

30/11

E&P. 32 (4)

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT :— Building Rules — Hospet Municipality — Mohideen Sahib, B — Construction of verandah — Rules — Exemption — granted as a special case

READ AGAIN Govt. No. 4151 P.W. dated 9.9.40. 19

" (1) " " 19

READ ALSO :—

No. 2341 From the Crimr. Hospet, No. 383-40 dated 4.6.41. 19

" " " Dy. P. " " B.H. 57 " 11.7.41 19

" " " Collr. of Bellary " 3695-41-B1 D. dated 7.1.41

Order / Resolution / Ms. / Roun. No. 5048 dated 1.12. 19 41

In modification of the orders in paragraph 10 of Govt. No. 4151 P.W. Dy. No. 9th Septr. 1940 the Govt. under rule 108 A of the Building Rules issued with Govt. No. 1621 P.W. dated the 30th July 1932, as subsequently amended, are pleased to exempt as a special case the verandah in front of his house in Door No. 1329-A of IV ward constructed by Belipodu Mohiddin Sahib from the operation

Operation of rule 8 of
the Rent Rules.

To

The Commissioner,

Dept.

Date